

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

HEARING OFFICER DIRECTIVE

DOCKET NO. [2016-89-E](#) ORDER NO. 2016-72-H

JULY 22, 2016

Josh Minges
Hearing Officer

DOCKET DESCRIPTION:

Lily Solar LLC, Complainant/Petitioner v. South Carolina Electric & Gas Company,
Defendant/Respondent

MATTERS UNDER CONSIDERATION:

- (1) Holding Hearing Date in Abeyance, and
- (2) Scheduling Oral Arguments Regarding Motion to Dismiss on August 10, 2016

HEARING EXAMINER ACTION:

Due to the complexity of the legal arguments surrounding SCE&G's Motion to Dismiss the Complaint in this matter and the Commission's desire to hear these arguments prior to moving forward with the evidentiary hearing, the evidentiary hearing is held in abeyance until further notice. Oral argument on SCE&G's Motion to Dismiss is now scheduled on August 10, 2016 from 10:30 a.m. to 12:00 p.m., which includes the date and starting time that the evidentiary hearing was to take place.

Each party is to communicate by July 28, 2016, its preference on whether they plan to rely on any of their witnesses' prefiled testimony at oral argument. If so, then such testimony must have a verification filed by August 8, 2016. Under Rule 12(b) of the South Carolina Rules of Civil Procedure, if verified prefiled testimony is relied on, or any other matters outside the pleadings, the Commission will consider SCE&G's Motion to Dismiss to be converted to a Rule 56 motion for summary judgement.